

Sri T. MARIAPPA.—This can be considered on Saturday as you said.

Mr. SPEAKER.—Quite so. Now consideration of Bills.

MADRAS PRESERVATION OF PRIVATE FORESTS (MYSORE AMENDMENT) BILL, 1954.

Motion to consider.

Dr. R. NAGAN GOWDA (Minister for Agriculture).—Mr. Speaker, Sir, I move :

“That the Madras Preservation of Private Forests (Mysore Amendment) Bill, 1954, be taken into consideration.”

Sir, this is a Bill about an Act that has been in force in Madras for quite a few years and naturally it applied to the District of Bellary also. It was due to expire on 2nd December 1953 and since the legislature was not in session, it was considered necessary that an ordinance should issue, and consequently the Mysore Ordinance No. 2 of 1953 was promulgated for the purpose. Now, this Act is intended to repeal the Ordinance. The purpose of this Bill, I might mention here, which was in operation in Madras in the old Madras area, was to protect private forests from being ruined by illicit cutting. The old Madras Government had enacted this Act and one of the important provisions of this Act was that no private individual who owns more than 100 acres can cut trees in his forest without the permission of the Government, which is usually obtained from the District Collector. In Bellary there are a few areas which come under the provisions of this Act. Now, till such time as the Mysore Acts are brought into force in Bellary area, it is necessary to have this Act in operation. It is provided in this Bill that is now before you, to keep this Act in force in Bellary area only for one year. Therefore, the suggestion is that the figure 1953 in the old Act be changed to the figure 1954. It is a very simple

Bill and I commend this to your consideration.

Mr. SPEAKER.—Motion moved :

“That the Madras Preservation of Private Forests (Mysore Amendment) Bill, 1954, be taken into consideration.”

Sri P. R. RAMAIYA (Basavan-gudi).—I want some information, Sir. Have we got the Madras Act before us? Is it circulated here? This is an amendment of the Madras Act. Has that Act been circulated among the members, Sir?

Mr. SPEAKER.—That is an Act which is available in the Library. Generally Acts are not distributed.

Sri M. V. RAMA RAO (Tumkur).—It was stated that it is considered necessary to extend the duration of the Act for a period of one year and therefore the substitution of the figures 1954 for the figures 1953 be made. May I know, Sir, why it is considered necessary to extend the duration of the Act by only one year and whether Government do not consider it necessary to keep this Act in force for the preservation of private forests for a period beyond the period of one year or whether it is their intention or their expectation that these private forests would have been completely exploited at the end of that period of one year?

Dr. R. NAGAN GOWDA.—No, Sir. It is not the intention of the Government nor is it their idea that the private forests would be exploited within the course of one year or there would not be any necessity for the continuation of a provision like this. But, probably in the course of this year many of the Acts that are now in force in Bellary will have to be repealed and Mysore Act or new Acts to be brought into force to that area. So, it was thought enough if we can have this Act in force only for a short period. That is the simplest amendment that could be made to the existing Act.

Sri M. V. RAMA RAO.—Is it the Mysore enactment that would be

made applicable to this area for this purpose at the end of one year? My information is that there is no corresponding enactment in Mysore.

Dr. R. NAGAN GOWDA— I have no idea, whether there is any corresponding enactment in Mysore. Then, probably, we may have to make changes in this Act and then apply to Bellary area.

1-30 P.M.

Sri K. PRABHAKAR (Nelaman-gala—Scheduled Castes).—I want some information, Sir. Are there any such Acts in Mysore to preserve forest wealth in private property? The intention of the Government is to improve plants and growth of trees in Mysore and is it not preferable to extend the same Act to the entire State so as to see that better trees or forest wealth are preserved in the State?

Dr. R. NAGAN GOWDA.— That may be considered later on when we repeal the Madras Act and bring new acts into force in Bellary. That will certainly require much more consideration than this.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—I submit that it would not be proper to extend the Madras Act to Mysore. Much rather we can make necessary changes, as the Hon'ble Minister rightly pointed out, in the Mysore Act, if need be.

Sri V. M. MASCARENHAS (St. John's Hill).—That is proposed by the Hon'ble Member Sri Prabhakar but in Mysore we do not have private forests.

Dr. R. NAGAN GOWDA.— That is why I said that it is a matter that requires considerable investigation and consideration, whereas this particular Bill refers to only small area where this Act is in force. There is no difficulty in passing this Bill. So far as bringing in a Bill for the whole of Mysore area is concerned, that is different and it is a matter of bigger magnitude and it is not necessary to consider it now.

Sri M. V. RAMA RAO.— Will the Hon'ble Minister tell me why this

enactment which is in force in Bellary has to be continued, because as far as I have understood the explanation given by him, it is not quite clear to the House, at any rate it is not clear to me, as to what the object is in keeping in force an enactment which authorises the Government to preserve private forests? If the object is to enable the Government to exploit forest wealth contained in these private forests, then the object would be perfectly clear, and perhaps not controversial either. But if the object is to enable the private owner or holder of these private forests to exploit these resources, why Government should keep in force a measure like this in order to enable such private exploitation from which Government do not seek to gain anything? Why should that be done? That is not clear. I request that he may kindly explain this.

Dr. R. NAGAN GOWDA.— Sir, there are some very important and big forests in Madras which are in the hands of private people. That holds good to a small extent in Bellary. As we all know, it is necessary to preserve these forests not merely to enable private individuals to exploit them but in order to conserve a great many things, like soils from erosion, moisture of the surface and taking care of catchment areas of rivers and things like that. The object of this bill is to see that these forests are maintained and not devastated. Devastation not only deprives private owner of forest wealth but also has greater effect on the surrounding areas and hence it is in the interest of the Government to see that these forests are not denuded. I think it necessary to have a measure of this kind.

* ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ (ಸಾಗರ—ಹೊಸ ನಗರ).—ಸ್ವಾಮಿ, ಈ ತಿಂದು ಪಡಿ ಮನೂದೆಯನ್ನು ಈ ಸಭೆಯು ಪರಿಶೀಲಿಸುವುದಕ್ಕೆ ಮುಂಚೆ, ಈಗ ಹೊಸ ದಾಗಿ ಮೈಸೂರು ಸಂಸ್ಥಾನಕ್ಕೆ ಸೇರಿರುವ ಮದ್ರಾಸಿನ ಭಾಗವಾಗಿದ್ದ ಬಳ್ಳಾರಿಯ ಏಳು ತಾಲ್ಲೂಕುಗಳಲ್ಲಿ ಎಷ್ಟು ಫಾರೆಸ್ಟ್ ಏರಿಯಾ ಖಾಸಗಿಯವರ ಅಧೀನದಲ್ಲಿದೆ ಎಂಬುದು ಗೊತ್ತಾಗಿದ್ದರೆ ಚೆನ್ನಾಗಿತ್ತು. ಅಲ್ಲದೆ, ನಮ್ಮ ಕಾನೂನಿನಲ್ಲಿಯೂ ನಹ, ಈಗಿರತಕ್ಕ ಫಾರೆಸ್ಟ್ ಕಾನೂನು ಏನಿದೆಯೋ ಅದರಲ್ಲಿ ಹಿಡುವಳಿದಾರನಾದವನು ತನ್ನ ಮನೆಯ ಸುತ್ತ

(ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.)

ಮುತ್ತಲೂ ಬೆಳೆದುಕೊಂಡಿರತಕ್ಕ ಗಿಡಮರಗಳು ತನ್ನದೇ ಎಂದು ಉಪಯೋಗಿಸಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಹಾಗೆಯೇ ಈ private forest preservation ಮಾಡುವುದೆಂದರೆ ನಾನು ತಿಳಿದುಕೊಂಡಿರುವುದು, ಖಾಸಗಿಯವರು ಯಾರಾದರೂ ಅವರಿಗೆ ಸಂಬಂಧಿಸಿದ ಪ್ರದೇಶದಲ್ಲಿ ಗಿಡಮರಗಳನ್ನು ಬೆಳೆದುಕೊಂಡಿದ್ದರೆ ಅವುಗಳ ರಕ್ಷಣೆಗೆ ಸಹಕಾರಿಯಾಗಲು ಈ ತಿದ್ದುಪಡಿ ಮನೂವೆ ಒತ್ತಕ್ಕ ಎಂದು. ಹಾಗಲ್ಲದೆ ಇದ್ದ ಪಕ್ಷದಲ್ಲಿ ಈ ತಿದ್ದುಪಡಿ ಕಾನೂನಿನ ಅವಶ್ಯಕತೆಯಾದರೂ ಏನು? ಎಂದುವೇಳೆ ಈ ಕಾನೂನು ಇಲ್ಲದಿದ್ದರೆ ಈಗ ನಮ್ಮ ಹಿಡುವಳಿದಾರರಿಗೆ ಅವರವರ ಭೂಮಿಯಲ್ಲಿ ಬೆಳೆದುಕೊಂಡಿರುವ ಗಿಡಮರಗಳ ರಕ್ಷಣೆಗೆ ಅದ್ವಿ ಆತಂಕಗಳವೆಯೇ, ಎಂಬುದನ್ನು ದಯವಿಟ್ಟು ತಿಳಿಸಬೇಕೆಂದು ವಿನಂತಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri T. MARIAPPA (Mysore City—North).—If I have understood the Hon'ble Minister, I think we have no parallel legislation in Mysore and what he contemplates now is the extension of the Madras Preservation of Forests Act for a further period of one year. The history of this legislation in Madras will perhaps show how it came into being. It was with a view to preserve private forests on the eve of the abolition of zamindaris. In Mysore we have not such problem. In Madras there were big zamindars and they owned large areas of forests. The Madras Government undertook legislation in 1948,—this piece of legislation is the Act of 1949, it is a very recent Act, as the big zamindars with a view to make money began to cut down indiscriminately forests. The benefits did not accrue to the villagers nearby. Therefore, the Government of Madras took a very wise step. Perhaps Hon'ble Members are aware that all over India such a thing happened when the State Governments undertook to abolish zamindaris. Similarly in Madras, they had to undertake as expeditiously as possible such a piece of legislation purely in the interests of the villagers who resided in those areas. Similarly in Bellary, perhaps in Sandur and other areas, even private owners must have had forests covering more than 100 acres and therefore, it is not in the interest

either of the State or the nation as such that we should cut down forests indiscriminately. In Mysore, there are no private forests. The entire forest perhaps belongs to the State except small village forests. Therefore, the Mysore Government had not undertaken any legislation in this behalf. In these circumstances, it would only be wise to preserve these forests till the whole question is examined. If there are large areas and if they belong to zamindars, before the abolition of the zamindari, the benefit of those particular forests should accrue to the people in the surrounding areas. Therefore with that view, forests, as in the case of State forests, have to be preserved. Perhaps, that would be ensured by extending the life of the Madras Act for some time more. If the circumstances necessitate, I hope the Government will examine the question afresh and bring in legislation or amend our own Forest Act because the Mysore Government or the successor Governments will naturally step into the shoes of the Madras Government and when once these forests come into our own, then perhaps this legislation will be no longer required.

Mr. SPEAKER.—I think there is no need for the Hon'ble Minister to make any further reply, in view of the explanation given by the Hon'ble Member, Sri T. Mariappa. The question is :

“That the Madras Preservation of Private Forests (Mysore Amendment) Bill, 1954, be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—Clauses 2 and 3. The question is :

“That Clauses 2 and 3 stand part of the Bill”.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

BILL, 1954

Mr. SPEAKER.—Clause 1. The question is :

“That Clause 1 stand part of the Bill”.

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

“That the Title and the Preamble stand part of the Bill”.

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

Dr. R. NAGAN GOWDA.—Sir, I beg to move :

“That the Madras Preservation of Private Forests (Mysore Amendment) Bill, 1954, be passed.”

Mr. SPEAKER.—The question is :

“That the Madras Preservation of Private Forests (Mysore Amendment) Bill, 1954, be passed.”

The motion was adopted.

MADRAS SUGAR FACTORIES CONTROL (MYSORE AMENDMENT) BILL, 1954.

Motion to consider.

Dr. R. NAGAN GOWDA (Minister for Agriculture).—Sir, I now wish to move :

“That the Madras Sugar Factories Control (Mysore Amendment) Bill, 1954, be taken into consideration.”

This is also a Bill which has been brought in to repeal the Ordinance that was issued and which had to be issued in a hurry because necessity had arisen. I may say at once that the Act applies only to the Sugar Factory in Hospet. On the

authority of this Act the Government have been levying cess on the cane supplied to the factory at Hospet. In the previous years, they were fixing different rates for cane supplied to the factory. This year it was necessary that the rate of cess on the cane supplied to the Sugar Factory in Hospet had to be fixed by the Government. One provision of this Act says that the cess should be levied on cane carried to the sugar factory after consulting the Advisory Body. Now this Advisory Body, as it was constituted in the Madras State, consisted of owners of some of the factories and representatives of Sugar Cane growers coming from various parts of the Madras State, from Nellikuppam, Bobbili and Vuyyur and other areas. Now it is impossible for us to call this Advisory Body or consult them, and therefore, the amendment that is now brought here provides for omitting the words “after consulting the Advisory Committee”. The Sugar Factory started crushing on or about the 4th week of December. It was necessary for the Government to fix a rate and so by promulgating an Ordinance the Government omitted the words “after consulting the Advisory Committee”. This Bill is brought before you to amend the Act by omitting these words in sub-sections 1, 2 and 4 of Section 14 of the Madras Sugar Factories Control Act, 1949. I do not believe, Sir, and more explanation is needed for this.

*Sri R. ANANTARAMAN (Chamarajpet).—I want to know how much sugar is produced and how many acres of cane are crushed ?

Sri T. MARIAPPA (Mysore City—North).—What is the income from that source ?

Sri A. BHEEMAPPA NAIK (Molakalmuru).—How is that relevant ?

Mr. SPEAKER.—Motion moved :

“That the Madras Sugar Factories Control (Mysore Amendment) Bill, 1954, be taken into consideration.”

You can go on.